

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

PATRICIA WALKER-HALSTEAD,

Defendant.

8:13CR310

ORDER

This matter is before the court on the motion to continue by defendant Patricia Walker-Halstead (Walker-Halstead) (Filing No. 38). Walker-Halstead seeks a continuance of the trial of this matter scheduled for August 10, 2015. Walker-Halstead's counsel represents Walker-Halstead will file an affidavit whereby she consents to the motion and acknowledges she understands the additional time may be excludable time for the purposes of the Speedy Trial Act. Walker-Halstead's counsel represents that government's counsel has no objection to the motion. Upon consideration, the motion will be granted. **No further requests for continuances will be granted absent a showing by affidavit that the denial of such request would constitute a manifest injustice given due diligence by counsel.**

IT IS ORDERED:

1. The motion to continue trial (Filing No. 38) is granted.
2. Trial of this matter is re-scheduled for **August 31, 2015**, before Senior Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **July 28, 2015, and August 31, 2015**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendant's counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 28th day of July, 2015.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge